IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7105 of 2006()

CMP.3919/2006 of ADDL.C.J.M.,TRIVANDRUM

(ORDER)

CRIME NO.73/06 OF MEDICAL COLLEGE POLICE STATION, TRIVANDRUM.

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PETITIONER/1ST ACCUSED (PARTY IN CUSTODY)

KRISHNAKUMAR, S/O.KRISHNANKUTTY,
SUDARSANA BHAVAN, ATTIPRA VILLAGE,
KAZHAKKUTTAM, THIRUVANANTHAPURAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS: STATE:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7105 OF 2006

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DATED THIS THE 12TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the 1st accused in Crime No.73/06 of Medical College Police Station, Thiruvananthapuram for offences punishable under sections 143, 147 and 148 read with section 3 and 5 of the Explosive Substances Act and section 27 of the Arms Act,seeks his enlargement on bail. Even though the petitioner was arrested in connection with some other crimes, arrest in this case was recorded on 13.10.2006.

2. Learned Public Prosecutor admitted that no charge sheet has been filed even after 60 days of judicial custody of the petitioner. If so, by virtue of the proviso to section 167(1) Cr.P.C., the petitioner is entitled to bail as of right. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the Additional Chief Judicial Magistrate, Thiruvananthapuram and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn

V.RAMKUMAR, J.

B.A.Nos. 7105/06 and 7109/06

DATED THIS THE 8TH DAY OF DECEMBER, 2006

I N T E R I M O R D E R

The common petitioner is the first accused in Crime No.73/06 of Medical College Police Station, Thiruvananthapuram and 20/06 of of Kazhakkuttam Police Station, for various offences. When these bail applications came up for further hearing, counsel for the petitioner submitted that since the petitioner is getting married on 15.12.2006 with his own uncle's daughter and since the said marriage was fixed months ago, the petitioner may be granted temporary permission to attend the marriage and report back in the prison. I am inclined to grant the said prayer.

2. Accordingly permission is granted to the petitioner to leave the prison on 13.12.2006 for the purpose of attending the marriage and to report back in the prison on 16.12.2006. The Jail Superintendent shall provide adequate escort to the petitioner while the petitioner is being taken out of the prison for the purpose of marriage.

Post on 18.12.2006.

V.RAMKUMAR, JUDGE

dsn